

EXHIBIT 2



ASSOCIATION OF FLIGHT ATTENDANTS-CWA, AFL-CIO

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February 24, 2023

The Honorable Merrick Garland
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue NW
Washington, DC 20530

The Honorable Pete Buttigieg
Secretary of Transportation
U.S. Department of Transportation
1200 New Jersey Avenue SE
Washington, DC 20590

Re: DOT OST-2023-0023; DOT OST 2023-0024

Dear Attorney General Garland and Secretary Buttigieg,

On behalf of 50,000 Flight Attendants at 19 airlines, including more than 5,600 Flight Attendants at Spirit Airlines, the Association of Flight Attendants-CWA, AFL-CIO (“AFA”) writes in strong support of the proposed merger between JetBlue Airways and Spirit Airlines. We know all too well how to tackle the challenges Flight Attendants face in any corporate transaction, having direct experience with eight business transactions that resulted in mergers over the past ten years. Based on our experience, our union reviews mergers with significant skepticism and scrutiny. Consolidation has been extremely difficult on workers and passengers who share our workspace. However, the JetBlue-Spirit merger will help to correct conditions in the industry with demonstrable improvements and protections for workers along with greater competition that benefits workers and consumers alike. This is the anti-merger, merger.

First, this merger will not only fix serious concerns our union has raised for decades, it is also already delivering immediate improvements for Flight Attendants at Spirit that would have otherwise been delayed through the regular bargaining process under the Railway Labor Act at a carrier that has yet to return to profitability following the pandemic. Spirit Flight Attendants have been in regular RLA Section 6 bargaining for over a year. Our experience is that entering a merger with an open contract typically delays needed economic improvements and creates a disadvantage for the combined workgroup when negotiating the joint collective bargaining agreement. We were clear with Spirit management that we could not support a merger without concluding those negotiations and providing immediate economic relief to Spirit Flight Attendants, as well as a means to achieve a “second bite of the apple” in the joint contract bargaining triggered by the merger. In a showing of good faith by Spirit management, we achieved a tentative agreement for a short-term contract that provides immediate double digit raises and scheduling improvements for

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Spirit Flight Attendants, as well as continued contractual raises during the merger process. These improvements also raise the floor for contract negotiations at the merged airline.

Separately, JetBlue management committed in writing to both Flight Attendant groups and their unions that it would engage in expedited negotiations for the joint collective bargaining agreement that further improves contractual compensation, benefits, and work rules as the airline is better positioned to compete with the four mega airlines that today enjoy outsized power in the industry. This increased competition for the best Flight Attendant jobs will also improve bargaining power for better jobs at the four largest airlines in the industry.

Second, JetBlue has committed in writing that it will not furlough or displace Flight Attendants and it will insource other aviation jobs that interact with Flight Attendants, such as gate agents and ground handling that is currently contracted work at Spirit Airlines. JetBlue also committed to promptly provide all necessary documentation to the surviving Flight Attendant union for seniority integration of the combined workforce, in compliance with the worker protections provided by McCaskill-Bond. These protections increase job security, create more good jobs, and ensure Flight Attendants can count on maintaining their current base location if they so choose.

Third, the combined carrier would *improve* competition with the Big Four airlines currently controlling 81% of the U.S. aviation market share. JetBlue does not use a two-tiered employment structure that creates an artificial barrier to good jobs at legacy airlines through either subsidiary or contracted regional flying, which on average provides 45% lower compensation than mainline airline workers doing the same work. JetBlue's plan to insource all of this work substantially increases access to far better aviation jobs across the industry. Removing the regional structure that artificially undermines the value of Flight Attendant and other aviation jobs is a major priority of our Union. This merger would provide a significant shift in the industry and create a major foothold in stopping the harmful practice of subcontracting for lower wage employees.

Fourth, the JetBlue-Spirit merger will result in reconfiguration of all Spirit aircraft from 28" seat pitch minimum (worst in the industry) to 32" seat pitch minimum (best in the industry), creating a better cabin environment for Flight Attendants and passengers alike. Cramped conditions often contribute to passenger anger and far too frequent abuse of frontline workers. The reconfiguration of all Spirit aircraft to the expanded minimum seat pitch designed by JetBlue is a positive step towards addressing concerns our union has expressed over passenger comfort, ratio of crew to passengers, and safe evacuation of a full aircraft in an emergency.

Workers and consumers will benefit from this merger and AFA urges regulators to approve the merger.

Sincerely,

A handwritten signature in black ink, appearing to read "Sara Nelson". The signature is fluid and cursive, with the first name "Sara" and last name "Nelson" clearly distinguishable.

Sara Nelson
International President
Association of Flight Attendants-CWA, AFL-CIO